IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

WA.No. 2729 of 2007

AGAINST THE JUDGEMENT IN WPC.20965/2006 Dated 23/05/2007

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APPELLANTS/PETITIONERS:

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1. VINU KOSHY ABRAHAM,
   10 B4, ABM TOWERS,
   KADAVANTHRA,
   COCHIN 682 020.

2. ABM BUILDERS PVT LTD.
   KADAVANTHRA,
   COCHIN 682 020
   REPRESENTED BY ITS MANAGING DIRECTOR M.K.ABRAHAM.

BY ADV. SMT.T.D.RAJALAKSHMI
SRI.E.R.VENKATESWARAN

RESPONDENTS/RESPONDENTS:

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1. TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTIONS,
   THIRUVANANTHAPURAM.

2. THE SECRETARY,
   CORPORATION OF COCHIN,
   COCHIN 682 011.

3. ABM TOWERS RESIDENTS ASSOCIATION,
   ABM TOWERS, KADAVANTHRA,
   COCHIN-20,
   REPRESENTED BY ITS PRESIDENT SIDHARTH GOSWAMI.

R2 BY SRI.S.RAMESH BABU, STANDING COUNSEL COCHIN CORPORATION.
R3 BY ADV.SRI.SANTHEEP ANKARATH.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 21/11/2007, ALONG WITH W.A.NO.2762/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.M.JOSEPH, J.

W.A.Nos.2729 of 2007 & 2762 of 2007

Dated, this the 21st day of November, 2007

JUDGMENT

K.M.Joseph, J.

These appeals being connected they are disposed of by this common judgment.

(2). The writ petitions were filed challenging the order of the Tribunal for Local Self Government by the appellants as well as the respondents. The learned Single Judge, while sustaining the order passed by the Tribunal has given directions for appointment of an Advocate of this Court as the Commissioner to accompany the Secretary and Town Planning Officer for the purpose of carrying out the directions given by the Tribunal.

(3). Having heard the learned counsel for the appellants, we do not find any basis for the grievance in the appointment of Advocate Commissioner. It cannot be said that in exercise of the powers under Article 226 of the Constitution, this Court is disabled from appointing Advocate Commissioner for accompanying the Secretary and Town Planning Officer. We do not see how the appellants can plead any grievance on the score that the Advocate Commissioner is appointed for the purpose of safeguarding the interest of the respondents. The appeals lack merits and they are dismissed.

Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(K.M.JOSEPH)
JUDGE

MS